

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas

FILED

June 24, 2025

United States of America

v.

Behzad Sepehrian BAHARY-Nejad

Nathan Ochsner, Clerk of Court

Case No. **4:25-mj-383**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 22, 2025 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

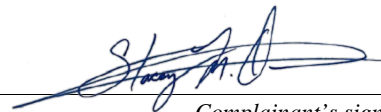
18 U.S.C. § 922(g)(5)

Offense Description

a native and citizen of Iran, and an alien unlawfully present in the United States at Houston, Texas, did knowingly possess a firearm, specifically a Shadow Systems CR920, .9mm, S000187, which had been shipped and transported in interstate commerce, in violation of Title 18, United States code, Section 922(g)(5)(A).

This criminal complaint is based on these facts:

See Attached Affidavit in support of the Criminal Complaint

☐ Continued on the attached sheet.

Complainant's signature

Stacey M. Owens, HSI Special Agent

Printed name and title

Sworn to me telephonically.

Date: 06/24/2025City and state: Houston, TX

Judge's signature

Peter Bray, United States Magistrate Judge

Printed name and title

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4:25-mj-383

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Stacey Owens, being duly sworn by telephone, hereby depose and say:

(1) I am a Special Agent with the United States Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI). I have been employed with ICE since October 2008, and working as a Special Agent since December 2011. Prior to my employment with HSI, I was an Immigration Enforcement Agent, and a Customs and Border Protection Officer. During this time, I have been involved in investigations and apprehension of persons involved in human smuggling, the trafficking of narcotics, the proceeds from narcotics and human smuggling, bulk cash smuggling, and other financial crimes. In addition, I have conducted follow up investigations concerning the concealment of drug produced assets, money, bank records, etc., and the identification of co-conspirators through ledgers, telephone bills, records, photographs, and bank checks, as related to drug trafficking and money laundering.

(2) On June 22, 2025, at approximately 0055 hours, Behzad Sepehrian BAHARY-Nejad was arrested by the Joint Operations Group (JOG) in Houston, Harris County, Texas.

(3) The defendant's fingerprints have been taken and electronically submitted to various law enforcement databases. According to the Integrated Automated Fingerprint Identification System (IAFIS), the defendant is the same individual as the person referred to in this Affidavit as having a final order of removal from an Immigration Judge, after arriving on December 09, 2016, as a F1-Academic Student. According to ATF records, the defendant was denied purchasing a firearm at one time and is in their system as a Prohibited Person.

(4) Based upon the information from various records as described below, and my training and experience, I submit that there is probable cause to believe that the defendant is in violation of 18 U.S.C. § 922(g)(5)(A).

(5) Element One: The defendant is a citizen and national of Iran and not a native, citizen, or national of the United States. He has a final order of removal from the United States by an Immigration Judge dated December 09, 2016. He failed to depart the United States as ordered.

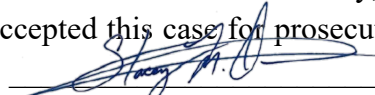
(6) Element Two: On June 22, 2025, law enforcement officers from the JOG encountered the defendant at 2525 S. Voss Rd, Apartment number 441, Houston, Texas 77057 during a targeted enforcement operation. During a lawful pat-down search for weapons while arresting the defendant for an immigration violation, a Shadow Systems CR920, .9mm firearm was discovered in his waistband.

(7) Element Three: The firearm, a Shadow Systems CR920, .9mm handgun, affected interstate commerce. The firearm was assembled in Plano, TX by Shadow Systems. The frame of the firearm was manufactured in Rochester, NY by Nordon, Inc., and subsequently shipped to Shadow Systems in Plano, TX for later resale. Under Title 18, U.S.C., section 921(a)(3)(B) the term "firearm" includes the "frame or receiver of any such weapon."

(8) Prior Criminal History / Gang Affiliation. The Defendant has the following prior criminal history and/or gang affiliation:

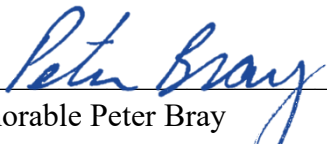
On August 18, 2017, the defendant was arrested by the Houston Police Department for ASSAULT FAM/HOUSE MEM IMPEDE BREATH/CIRCULAT. On July 24, 2018, the case was dismissed in the 248th District Court of Houston.

On June 24, 2025, I contacted the U.S. Attorney's Office, Southern District of Texas, Houston Division, concerning this criminal complaint. On or about that day, Special Assistant U.S. Attorney Benjamin Smith (281) 914-8151 accepted this case for prosecution for a violation of 18 U.S.C. § 922(g)(5)(A).



Stacey M. Owens, Special Agent
United States Department of Homeland Security
Homeland Security Investigations

Signed and sworn telephonically before me this 24th day of June, 2025, and I find probable cause.



Honorable Peter Bray
United States Magistrate Judge
Southern District of Texas